

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN THE MATTER OF THE TAX)
INDEBTEDNESS OF:)
John K. Thornton)
a/k/a Freedom Enterprises, Inc.)
a/k/a Straight Edge Enterprizes, Inc.)
4128 Utica Ave S.)
St. Louis Park, MN 55416)
COUNTY OF HENNEPIN)
STATE OF MINNESOTA)

Case No. 18-MJ-356 DTS

AFFIDAVIT OF REVENUE OFFICER RICHARD WALLIN

Revenue Officer Richard Wallin, having been first duly sworn, states as follows:

1. I am a Revenue Officer employed in the Small Business/Self Employed Division of the Internal Revenue Service, Department of the Treasury.
2. As a Revenue Officer, I have the duty and authority to collect Federal taxes by seizure and sale under the Internal Revenue Code, 26 U.S.C. § 6331.
3. Assessments of tax, penalty and interest have been made against taxpayer John K. Thornton, for the Form 1040 tax periods ending December 31, 2001, December 31, 2002, and December 31, 2003, in the amounts of \$467,043.20, \$26,642.74, and \$22,800.08. Assessments were all made on August 22, 2011.
4. For each above listed liability, the assessment and notice of demand pursuant to 26 U.S.C Sections 6201, 6203, and 6303 occurred on August 22, 2011, or within 60 days thereafter. Final Notice, Notice of Intent to Levy and Notice to Your Rights to a

Hearing was given on all periods on March 28, 2013.

5. The said taxpayer has neglected or refused to pay the full amount of the tax assessed within 10 days after such notice and demand, and this neglect or refusal continues.

6. There is now due and owing and unpaid with respect to such tax, penalty and interest, a total amount of \$645,382.99, computed through April 25, 2018 (including statutory additions).

7. By reason of the assessment, a lien has arisen on all property and rights to property of said taxpayer as prescribed by IRC sections 6321 and 6322.

8. By reason of the taxpayer's neglect and failure to pay such tax within 10 days after notice and demand, a levy may be made on all property and rights to property belonging to the taxpayer or to which the federal tax lien attaches.

9. A notice of intention to levy along with Collection Due Process rights, required by section 6331(d) of the Internal Revenue Code, was provided to the taxpayer by leaving at the taxpayer's last known address on March 28, 2013. The taxpayer did not exercise any Collection Due Process rights for those periods listed above.

10. Notice of Federal Tax Lien was filed with the Hennepin County Recorder's Office on April 11, 2013 for all above periods. Notice of Federal Tax Filing and Notice of Your Right to a Hearing under IRC 6320 was sent on April 9, 2013 and the taxpayer did not exercise CDP rights in response to the notice.

11. On April 25, 2018, the taxpayer testified before the United States District

Court for the District of Minnesota that he is a trustee for a trust entitled Freedom Enterprises, Inc., which has a management trust bank account with U.S. Bank under the name Straight Edge Enterprises, Inc.

12. The taxpayer testified further that he has made all deposits in the bank account from at least May 31, 2011 through the present time, and even dating back before 2004. The taxpayer testified to making all withdrawals from the account, predominately in \$500 increments during the same time period. The taxpayer testified that all monies deposited in the bank account were paid to Freedom Enterprises by entities with whom it contracts for volunteer services performed by the Taxpayer on behalf of Freedom Enterprises. The taxpayer testified that he used the cash withdrawals from the Freedom Enterprises bank account to purchase tangible assets including, gold, gold coins, silver coins, and collectible coins much of which are stored in a safe located in the basement of his wife's home at 4128 Utica Ave St. Louis Park, MN 55416, where he currently resides.

13. Assets to be seized include currency, coins, checks, negotiable instruments, safes, cash boxes, and cash. The taxpayer testified on April 25, 2018, that these assets are located in his wife's home located at 4128 Utica Ave St. Louis Park, MN 55416.

14. Seizure is the only remaining viable solution to collect the amounts owed to the United States. Alternative remedies including third-party levies have not been successful. Taxpayer has not filed a Form 1040 return in over ten years, and has made no effort to pay taxes currently owed.

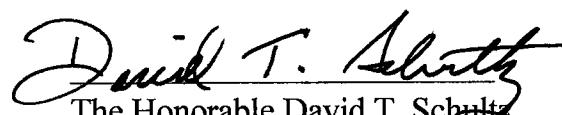
15. Attached as Attachment A is an Order For Entry Data Sheet, which includes details regarding the unpaid tax liabilities of John Thornton.

16. Due to the ease with which these assets may be moved, and the extensive efforts required to learn of these assets, I have not requested Mr. Thornton turn over the assets.

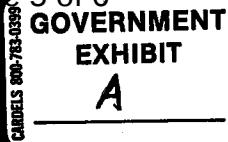


Richard Wallin
Revenue Officer
Internal Revenue Service

Sworn and subscribed before me
On this the 25th day of April, 2018


The Honorable David T. Schultz
United States Magistrate Judge

18MJS-356 DTS



Writ of Entry Data Sheet

Date 04/25/2018

1. Revenue officer's information

Revenue officer's name JEFFREY WAGNER / RICHARD WALLIN	Revenue officer's area office NORTHWEST / CENTRAL		
Revenue officer's area office address 1550 AMERICAN BLVD E	City BLOOMINGTON	State MN	ZIP code 55425

2. Taxpayer's information

Taxpayer's name JOHN K THORNTON	Taxpayer's Identification Number (TIN) 469-88-6221		
Taxpayer's address 4128 UTICA AVE SOUTH	City ST LOUIS PARK	State MN	ZIP code 55416
Business address (if different)	City	State	ZIP code

3. Outstanding balances

Form	Tax Period	Assessment Date	Unpaid Balance of Assessment	Balance of Assessment Plus Accruals
1040	12/31/2001	08/22/2011	\$571,131.89	\$586,014.57
1040	12/31/2002	08/22/2011	\$32,574.46	\$33,423.28
1040	12/31/2003	08/22/2011	\$27,876.26	\$28,602.67

4. NFLT filing

Form	Tax Period	Notice of Federal Tax Lien Filing Date	Notice of Federal Tax Lien Filing Location
1040	12/31/2001	04/11/2013	Hennepin County Recorder, Minnesota
1040	12/31/2002	04/11/2013	Hennepin County Recorder, Minnesota
1040	12/31/2003	04/11/2013	Hennepin County Recorder, Minnesota

5. General description of kind of business (corporation, partnership, sole proprietorship, etc.)

Not Applicable - Individual

6. Description of business activity

Not Applicable - Individual

7. General description of property to be seized

Property to be seized is approximately 80 ounces of gold, 500 ounces of silver, and several thousand dollars in cash.

8. Description of the property to be entered

Property to be entered is Mr. Thornton's residence located at 4128 Utica Avenue South, St Louis Park, Minnesota. The government wishes to search a safe in Mr. Thornton's basement and any other areas in his home where the gold, silver, or cash could be stored.

9. Who owns premises to be entered (does taxpayer own, rent, lease, etc.)

Crisanda Thornton (John Thornton's wife)

10. Actions taken to collect liability (contacts)

Mr. Thornton has owed and known of the tax liability for some time

11. Person entitled to occupy premises has refused consent to entry on

Collection of the tax is believed to be in jeopardy so Mr. Thornton is not being asked to provide consent. Mr. Thornton's has not been cooperative.

12. How does the revenue officer know the above information

Taxpayer gave information
